

#### Attorney's Docket No. 8108

#### IN THE UNITED STATES PATENT AND TRADEMARKS OFFICE

Art Group No.: 3727

Examiner: Mai, Tri M.

In re application of: Kristopher M. Krohn

Serial No: 10/764,197 Filed: January 23, 2004

For: REMOVABLY ATTACHABLE MOTORCYCLE LUGGAGE

Assistant Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

Alexandria, VA 22313-1450

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT REF

## TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT BEFORE MAILING DATE OF EITHER A FINAL ACTION OR NOTICE OF ALLOWANCE (37 CFR 1.97(c))

NOTE: "An information disclosure statement shall be considered by the Office if filed . . . before the mailing date of either (1) a final action under § 1.113 or (2) a notice of allowance under § 1.311, whichever occurs first, provided the statement is accompanied by either a certification as specified in paragraph (e) of this section or the fee set forth in § 1.17(p)." 37 CFR 1.97(c).

NOTE: "If a final action or notice of allowance is mailed in an application and later withdrawn, the application will be considered as not having had a final action or notice of allowance mailed for purposes of considering an information disclosure statement." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

NOTE: "If information submitted during the period set forth in 37 CFR 1.97(c) with a certification is used in a new ground of rejection on unamended claims, the next Office action will not be made final since in this situation it is clear that applicant has submitted the information to the office promptly after it has become known and the information is being submitted prior to a final determination on patentability by the Office. However, the information submitted with a certification can be used in a new ground of rejection and the next Office action made final, [i]f the new ground of rejection was necessitated by amendment of the application by applicant. Where the information is submitted during this period with a fee, the examiner may use the information submitted, e.g., printed publication or evidence of public use, and make the next Office action final whether or not the claims have been amended, provided that no other new ground of rejection which was not necessitated by amendment to the claims is introduced by the examiner. See MPEP 706.07(a). If a new ground of rejection is introduced that is neither necessitated by an amendment to the claims nor based on the information submitted with the fee set forth in 37 CFR 1.17(p), the Office action shall not be made final." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

#### CERTIFICATE OF MAILING/TRANSMISSION

I hereby certify that this correspondence is, on the date shown below, being:

MAILING [X] deposited with the United States Postal Service with sufficient postage as Express Mail No. EV717267245US	FACSIMILE  [ ] transmitted by facsimile to the Patent and Trademark Office (Fax No) on		
in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450	antonia M. Abland		
Date: September 1, 2005	Antonia M. Holland (type or print page of person certifying)		

WARNING: "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 CFR 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63).

### TIME OF TRANSMITTAL OF ACCOMPANYING INFORMATION DISCLOSURE STATEMENT

The information disclosure statement transmitted herewith is being filed <i>after</i> three
months of the filing date of this national application or the date of entry of the national
stage as set forth in § 1.491 in an international application or after the mailing date of the
first Office action on the merits, whichever event occurred last but before the mailing
date of either:

- date of either:

  (1) a final action under § 1.113 or
- (2) a notice of allowance under § 1.311,
- (-)

whichever occurs first.

#### **CERTIFICATION OR FEE**

2. Accompanying this transmittal is

(check either A or B below)

A. [X] a certification as specified in 37 CFR 1.97(e)

OR

B. [ ] the fee set forth in 37 CFR 1.17(p) for submission of an information disclosure statement under § 1.97(c). (\$180.00).

#### **FEE PAYMENT**

(complete this item, if applicable)

3. Applicant elects the option to pay the fee set forth in 37 CFR 1.17(p) for submission of an information disclosure statement under § 1.97(c) (\$180.00).

Fee due \$

#### METHOD OF PAYMENT OF FEE

4.	[] Attached is a check in t [] Charge Account No A duplicate of this requ	in the amount of \$
If any	additional fees are due, please ch	arge Account <u>18-0882</u>
		By Untona M. Wolland
Reinh	nart Boerner Van Deuren s.c.	Antonia M. Holland
1000	North Water Street, Suite 21	00 Attorney for Applicant
Milw	aukee, WI 53202-0900	Registration No. 53,840
414-2	298-8285	

**PATENT** 

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail No. EV717267245US in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 1, 2005.

Reinhart Boerner Van Deuren s.c.

BY: UN TONIQ M. C. LON ION OL

Dated: September 1, 2005

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Kristopher M. Krohn)

Serial No.: 10/764,197

Filed: January 23, 2004

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MOTORCYCLE LUGGAGE

Group Art No.: 3727

Examiner: Mai, Tri M.

Atty Docket No. 8108

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## STATEMENT FOR INFORMATION DISCLOSURE UNDER 37 C.F.R. § 1.97(e)

- 1. This statement is being made for the Information Disclosure Statement accompanying this statement.
- 2. I, the person(s) signing below state:

that each item of information contained in the information disclosure statement was first cited in any communication (copy attached) from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. 37 C.F.R. § 1.97(e)(1).

3. The person making this statement is the practitioner who signs below on the basis of the information in the practitioner's file.

1

Antonia M. Holland

Reinhart Boerner Van Deuren s.c.

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PTO/SB/08A (07-05) Approved for use through 07/31/2006. OMB 0651-0031

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Substitute for form 1449A/PTO

# SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 1 Attorney D

Complete if Known			
Application Number	10/764,197		
Filing Date	01/23/2004		
First Named Inventor	Kristopher M. Krohn		
Art Unit	3727		
Examiner Name	Mai, Tri M.		
Attorney Docket Number	8108		

	U.S. PATENT DOCUMENTS				
Examiner Cite No.1	Cite	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	NO.	Number - Kind Code <sup>2</sup> (if known)			
		US- 2,585,745	02-12-1952	Crosby	
_		US- 4,805,749	02-21-1989	Gerch	
		US-5,090,526	02-02-1992	Jacober	
		US- 5,782,325	07-21-1988	O'Shea et al.	
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		FOREIGN PA	TENT DOCUM	MENTS		
Examiner Initials* Cite No.1 Foreign Patent Document  Country Code3 - Number4 - Kind Code5 (if k	0.4-	Foreign Patent Document		Name of Patentee or	Pages, Columns, Lines,	
	Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> ( <i>if known</i> )	Publication Date MM-DD-YYYY	Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>	
		EP0648446	04-19-1995	Roncato		
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Examiner	Date
Signature	Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. There office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Nich document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. MW/1232112